



## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2022-0617; Airspace Docket No. 22-ASW-4]

RIN 2120-AA66

### **Proposed Amendment of VOR Federal Airway V-573 and Area Navigation (RNAV) Route T-398 in the Vicinity of Sulphur Springs, TX**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to amend VHF Omnidirectional Range (VOR) Federal airway V-573 and Area Navigation (RNAV) route T-398. The FAA is proposing this action due to the planned decommissioning of the VOR portion of the Sulphur Springs, TX (SLR), VOR/Distance Measuring Equipment (VOR/DME) navigational aid (NAVAID). The Sulphur Springs VOR is being decommissioned in support of the FAA's VOR Minimum Operational Network (MON) program.

**DATES:** Comments must be received on or before [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER.]

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC, 20590; telephone: 1(800) 647-5527, or (202) 366-9826. You must identify FAA Docket No. FAA-2022-0617; Airspace Docket No. 22-ASW-4 at the beginning of your comments. You may also submit comments through the Internet at <https://www.regulations.gov>.

FAA Order JO 7400.11F, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [https://www.faa.gov/air\\_traffic/publications/](https://www.faa.gov/air_traffic/publications/). For further information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591; telephone: (202) 267-8783.

**FOR FURTHER INFORMATION CONTACT:** Colby Abbott, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC, 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**Authority for this Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would modify the National Airspace System (NAS) as necessary to preserve the safe and efficient flow of air traffic.

**Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2022-0617; Airspace Docket No. 22-ASW-4) and be submitted in triplicate to the Docket Management Facility (see “**ADDRESSES**” section for address and phone number). You may also submit comments through the Internet at <https://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following

statement is made: “Comments to FAA Docket No. FAA-2022-0617; Airspace Docket No. 22-ASW-4.” The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified comment closing date will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the comment closing date. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

### **Availability of NPRMs**

An electronic copy of this document may be downloaded through the Internet at <https://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA’s web page at [https://www.faa.gov/air\\_traffic/publications/airspace\\_amendments/](https://www.faa.gov/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see “**ADDRESSES**” section for address and phone number) between 9:00 am and 5:00 pm, Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the office of the Operations Support Group, Central Service Center, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX, 76177.

### **Availability and Summary of Documents for Incorporation by Reference**

This document proposes to amend FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11F lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

### **Background**

The FAA is planning to decommission the Sulphur Springs, TX, VOR in February 2023. The Sulphur Springs VOR was one of the candidate VORs identified for discontinuance by the FAA's VOR MON program and listed in the Final policy statement notice, "Provision of Navigation Services for the Next Generation Air Transportation System (NextGen) Transition to Performance-Based Navigation (PBN) (Plan for Establishing a VOR Minimum Operational Network)," published in the *Federal Register* of July 26, 2016 (81 FR 48694), Docket No. FAA-2011-1082.

Although the VOR portion of the Sulphur Springs VOR/DME is planned for decommissioning, the co-located DME portion of the NAVAID is being retained to support NextGen PBN flight procedure requirements.

The ATS routes affected by the Sulphur Springs VOR decommissioning are VOR Federal airway V-573 and RNAV route T-398. The V-573 airway is affected directly with the Sulphur Springs VOR being included in the route description. However, the T-398 route is a mitigation to address the proposed loss of the V-573 airway segment affected by the planned Sulphur Springs VOR decommissioning. With the planned decommissioning of the Sulphur Springs VOR, the remaining ground-based NAVAID coverage in the area is insufficient to enable the continuity of V-573. As such, modifications to the airway would result in creating a gap in the airway.

To overcome the airway gap in V-573, instrument flight rules (IFR) traffic could use portions of adjacent VOR Federal airways V-16, V-124, and V-278 to circumnavigate the affected area, or receive air traffic control (ATC) radar vectors to fly through the affected area. Additionally, IFR pilots equipped with RNAV capabilities could file and navigate point to point using the existing fixes that would remain in place, or could use the T-398 route extension proposed in this action, to support continued operations through the affected area. Visual flight rules (VFR) pilots who elect to navigate via the affected ATS routes could also take advantage of the adjacent ATS routes or ATC services listed previously.

As noted above, the FAA proposes to extend RNAV route T-398 between the RRORY, TX, waypoint (WP) being established near the Bonham, TX, VOR/Tactical Air Navigation (VORTAC) and the existing SLOTH, TX, WP located near the Texarkana, AR, VORTAC. The proposed T-398 route extension would overlay the V-573 airway segment between the Bonham VORTAC and the Texarkana VORTAC and, in part, mitigate the proposed removal of the V-573 airway segment between those NAVAIDs. The new T-route extension would provide airspace users equipped with RNAV capabilities an enroute structure between the Bonham, TX, area eastward to the Pinehurst, NC, area. Further, the extended T-398 route would support the FAA's NextGen efforts to modernize the NAS navigation system from a ground-based system to a satellite-based system.

### **The Proposal**

The FAA is proposing an amendment to 14 CFR part 71 to amend VOR Federal airway V-573 and RNAV route T-398 due to the planned decommissioning of the VOR portion of the Sulphur Springs, TX (SLR), VOR/DME. The proposed ATS route actions are described below.

**V-573:** V-573 currently extends between the Will Rogers, OK, VORTAC and the Little Rock, AR, VORTAC. The FAA proposes to remove the airway segment overlying the Sulphur Springs VOR/DME between the Bonham, TX, VORTAC and the Texarkana, AR, VORTAC. The unaffected portions of the existing airway would remain as charted.

**T-398:** T-398 currently extends between the SLOTH, TX, WP, and the GMINI, NC, WP. The FAA proposes to extend the route further westward between the RRORY, TX, WP being established near the Bonham, TX, VORTAC and the SLOTH, TX, WP. The added RNAV route segment would overlay the V-573 airway segment proposed for removal between the Bonham, TX, VORTAC and Texarkana, AR, VORTAC noted above. The full route legal description is listed in "The Proposed Amendment" section, below. The unaffected portions of the existing route would remain as charted.

All NAVAID radials listed in the VOR Federal airway description below are unchanged and stated in True degrees.

VOR Federal airways are published in paragraph 6010(a) and RNAV T-routes are published in paragraph 6011 of FAA Order JO 7400.11F, dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The ATS routes listed in this document would be published subsequently in FAA Order JO 7400.11.

FAA Order JO 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

### **Regulatory Notices and Analyses**

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### **Environmental Review**

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," prior to any FAA final regulatory action.

### **List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

### **The Proposed Amendment**

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

**PART 71--DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

**§71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

**Paragraph 6010(a) Domestic VOR Federal Airways.**

\* \* \* \* \*

**V-573 [Amended]**

From Will Rogers, OK; INT Will Rogers 195° and Ardmore, OK, 327° radials; Ardmore; to Bonham, TX. From Texarkana, AR; INT Texarkana 037° and Hot Springs, AR, 225° radials; Hot Springs; to Little Rock, AR.

\* \* \* \* \*

**Paragraph 6011 United States Area Navigation Routes.**

\* \* \* \* \*

**T-398 RRORY, TX to GMINI, NC [Amended]**

RRORY, TX	WP	(lat. 33°32'14.95"N., long. 096°14'03.45"W.)
MERIC, TX	WP	(lat. 33°11'54.97"N., long. 095°32'32.66"W.)
SLOTH, TX	WP	(lat. 33°30'49.99"N., long. 094°04'24.38"W.)
MUFRE, AR	FIX	(lat. 34°05'31.32"N., long. 093°10'43.80"W.)
LITTR, AR	WP	(lat. 34°40'39.90"N., long. 092°10'49.26"W.)
EMEEY, AR	WP	(lat. 34°34'30.29"N., long. 090°40'27.14"W.)
GOINS, MS	WP	(lat. 34°46'12.64"N., long. 089°29'46.81"W.)
HAGIE, AL	WP	(lat. 34°42'25.87"N., long. 087°29'29.76"W.)
FILUN, AL	WP	(lat. 34°47'50.14"N., long. 086°38'01.14"W.)
JILIS, GA	WP	(lat. 34°57'23.98"N., long. 085°08'03.46"W.)
CRAND, GA	FIX	(lat. 34°57'28.88"N., long. 084°51'20.59"W.)
BALNN, GA	WP	(lat. 34°56'34.20"N., long. 083°54'56.42"W.)
BURGG, SC	WP	(lat. 35°02'00.55"N., long. 081°55'36.86"W.)
GAFFE, SC	FIX	(lat. 35°05'38.90"N., long. 081°33'23.92"W.)

CRLNA, NC	WP	(lat. 35°12'49.48"N., long. 080°56'57.32"W.)
LOCAS, NC	FIX	(lat. 35°12'05.18"N., long. 080°26'44.89"W.)
RELPY, NC	FIX	(lat. 35°12'45.70"N., long. 079°47'28.76"W.)
GMINI, NC	WP	(lat. 35°12'23.01"N., long. 079°34'01.98"W.)

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Issued in Washington, DC, on May 18, 2022.

Scott M. Rosenbloom,  
Manager, Airspace Rules and Regulations.

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